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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,797	06/20/2003	Eric D. Brill	MS1-4081US	9695
22801 7590 09/25/2009				
LEE & HAYES, PLLC				
601 W. RIVERSIDE AVENUE				
SUITE 1400				
SPOKANE, WA 99201				
EXAMINER				
HICKS, MICHAEL J				
ART UNIT		PAPER NUMBER		
2165				
NOTIFICATION DATE		DELIVERY MODE		
09/25/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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lhptoms@leehayes.com



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10600797	6/20/2003	BRILL, ERIC D.	MS1-4081US

LEE & HAYES, PLLC  
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SUITE 1400  
SPOKANE, WA 99201

## EXAMINER

Michael J. Hicks

ART UNIT	PAPER
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2165

20090922

DATE MAILED:

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## Commissioner for Patents

Examiner notes that the Appeal Brief filed 8/17/2009 only corrects deficiencies in the Summary of Claimed Subject Matter as noted in the Notice of Non-Compliant Appeal Brief mailed 8/17/2009. Because the filing does not change the scope of the claims or arguments presented in the Brief as originally filed, Examiner notes that the the Examiners Answer mailed on 4/24/2009 is considered responsive to the Appeal Brief filed 8/17/2009 and should be referred to for the purpose of further prosecution and consideration by BPAI.

/Neveen Abel-Jalil/  
Supervisory Patent Examiner, Art Unit 2165

/Michael J Hicks/  
Examiner, Art Unit 2165